

# Order

Michigan Supreme Court  
Lansing, Michigan

October 29, 2019

Bridget M. McCormack,  
Chief Justice

156922 & (22)

David F. Viviano,  
Chief Justice Pro Tem

PEOPLE OF THE STATE OF MICHIGAN,  
Plaintiff-Appellee,

Stephen J. Markman  
Brian K. Zahra  
Richard H. Bernstein  
Elizabeth T. Clement  
Megan K. Cavanagh,  
Justices

v

SC: 156922  
COA: 338837  
Lenawee CC: 14-017258-FC

RYAN WILLIAM COLE,  
Defendant-Appellant.

By order of July 3, 2018, the application for leave to appeal the October 25, 2017 order of the Court of Appeals was held in abeyance pending the decision in *People v Harbison* (Docket No. 157404). On order of the Court, the case having been decided on July 11, 2019, 504 Mich \_\_\_\_ (2019), the application is again considered. Pursuant to MCR 7.305(H)(1), in lieu of granting leave to appeal, we REMAND this case to the Court of Appeals for consideration, as on leave granted, whether the prosecution's expert impermissibly vouched for the credibility of the alleged victim. See *People v Thorpe*, 504 Mich \_\_\_\_ (2019) (Docket No. 156777); *People v Smith*, 425 Mich 98, 109 (1986). In all other respects, leave to appeal is DENIED, because we are not persuaded that the remaining questions presented should be reviewed by this Court. The motion to suppress statement is DENIED.

We do not retain jurisdiction.



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I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

October 29, 2019

Clerk